

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29820 of 2021

Arising Out of PS. Case No.-212 Year-2020 Thana- FATEHPUR District- Gaya

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KRISHNA YADAV @ KRISHNADEV YADAV Son of Late Sukar Yadav
Resident of Village- Manhona, P.S.- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Gulshan Nandan Kumar (Assistant Electrical Engineer) Son of Sri Bijendra Prasad Yadav Resident of Sahopur, P.o.- Paliganj, P.S.- Kadriganj, District- Patna. Presently Assistant Electric Engineer Electriect Supply Sub Division Bajirganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Indradeo Prasad, Advocate
For the Opposite Party/s :	Mr.H.A. Khan, APP
For the Electricity Board:	Mr.Ajay Kumar Gautam, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 23-06-2022 Heard learned counsel for the petitioner, learned counsel for the Electricity Board and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 135 of the Electricity Rules.



The allegation against the petitioner is of theft of electricity by illegal means for running five flour electric motors.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent. However, petitioner is ready to deposit half of the fine calculated by the Electricity Board, before the learned court below.

Learned APP for the State opposed the prayer for anticipatory bail.

The petitioner is directed to deposit half of the fine calculated by the Electricity Board, by six weeks before the learned court below, subject to the final outcome of the present case. Thereafter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned court below where the case is pending/Successor Court in connection with Fatehpur P.S. Case No.212 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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